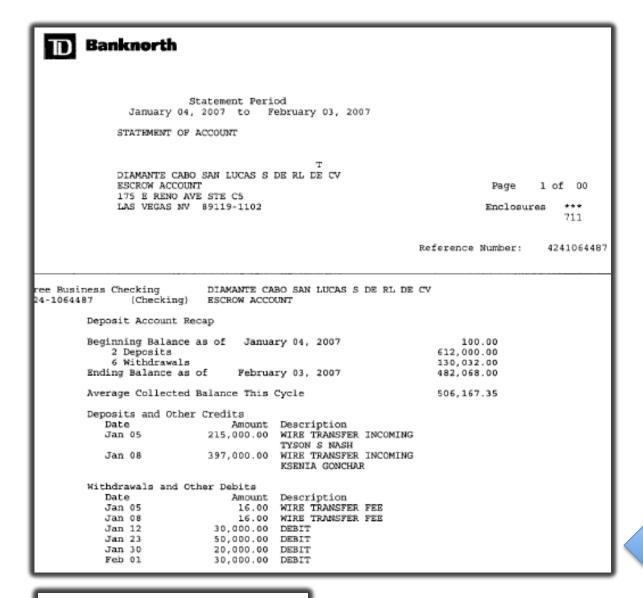
## CABO SAN LUCAS Golf Villa deposit THEFTS by Jowdy (2007):

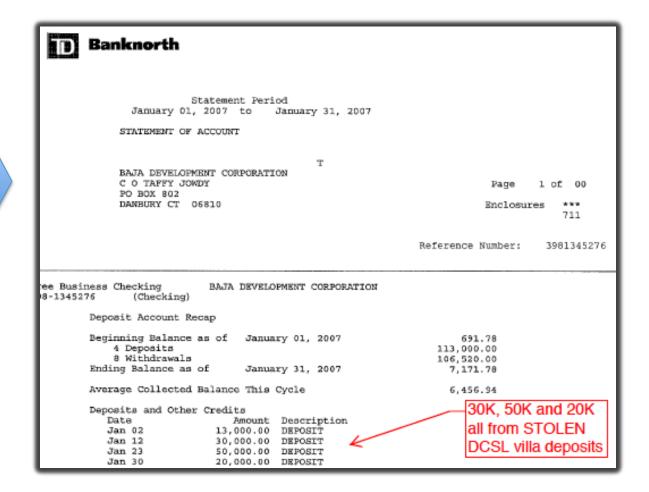
Please note that even after one year of Jowdy's unabated access to the 2006, \$125 million Lehman Brothers loan (*January 2007*) and monthly travel and entertainment thefts (*approved by Bhatti at Lehman Brothers*) many of which had NO RELEVANCE to the DCSL project itself (*and even included Bhatti's joint travel to find other resorts to fund together*) – *Jowdy decided to loot the DCSL Villa deposit accounts*...

- ❖ Jowdy's thefts did not end after he gained access to the Lehman loan funds in March 2006 *they only continued in conjunction with Bhatti from Lehman Brothers at a defter pace...*
- ❖ Jowdy diverted \$130,000 from Cabo villa deposits from the first two (2) golf villa investors Gonchar & Nash immediately.
- Then -- Jowdy DIVERTED another the balance of the deposit funds until only \$10,000 remained – until he was forced to repay the deposits in December 2007 by Kenner –
- Ultimately Jowdy's crowning accomplishment in this series of thefts was that the final \$225,000 of DCSL Villa deposits enabled Jowdy to fulfill his \$225,000 cash deposit requirement when funding the 2007, Lehman Brothers funded, Laurel Cove development in Tennessee – while acquiring 50% equity thru another Bhatti-Jowdy racketeering scheme (just like the Boot Ranch Texas project which funded within months).



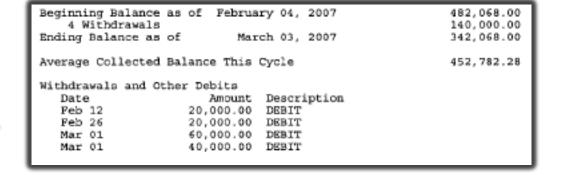
DEBIT Thefts

BNK-TD-00002578 BX19-SD-00001418



### From the DCSL Villa deposit account (#4487) --

Statement Period February 04, 2007 to March 03, 2007

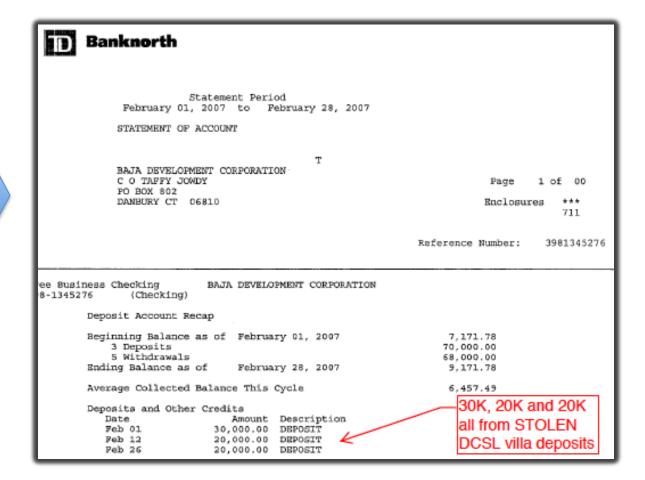




Diverted to the

Baja Development

Corp account...



### From the DCSL Villa deposit account (#4487) --

Statement Period March 04, 2007 to April 03, 2007

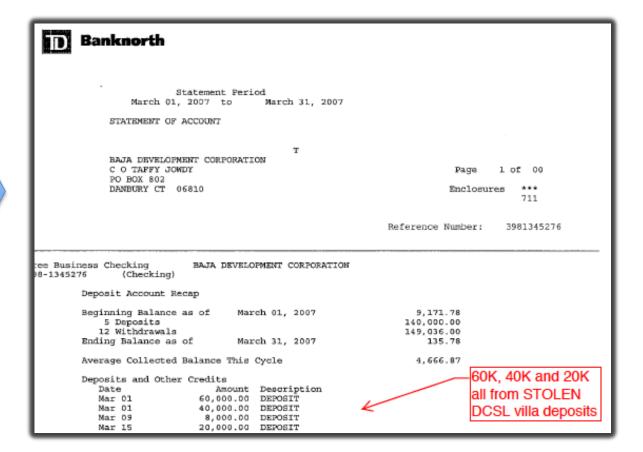
Beginning Balance as of Mar 2 Withdrawals	ch 04, 2007	342,068.00 60,000.00		
Ending Balance as of Apr	il 03, 2007	282,068.00		
Average Collected Balance This	Cycle	327,874.45		
Withdrawals and Other Debits				
Date Amount	Description			
Mar 15 20,000.00	DEBIT			
Apr 03 40,000.00	DEBIT			

DEBIT Thefts

Diverted to the

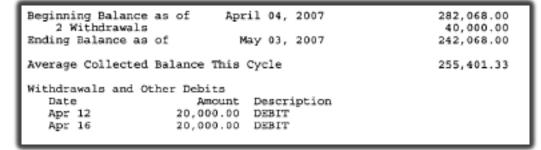
Baja Development

Corp account...



From the DCSL Villa deposit account (#4487) --

Statement Period
April 04, 2007 to May 03, 2007

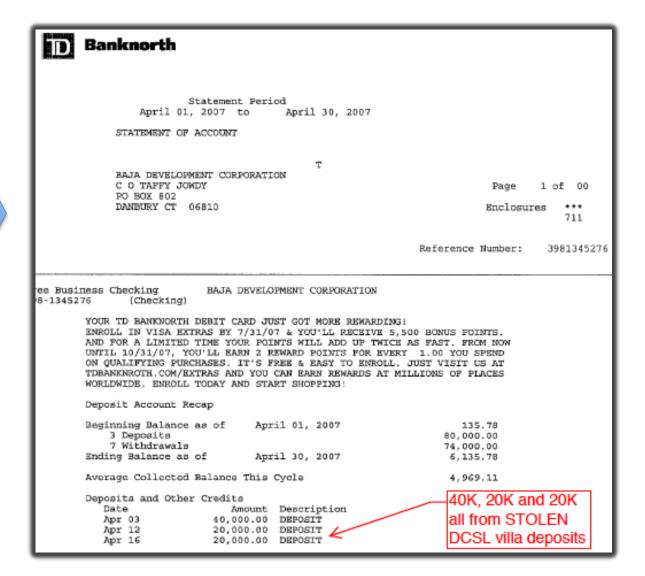


DEBIT Thefts

Diverted to the

Baja Development

Corp account...

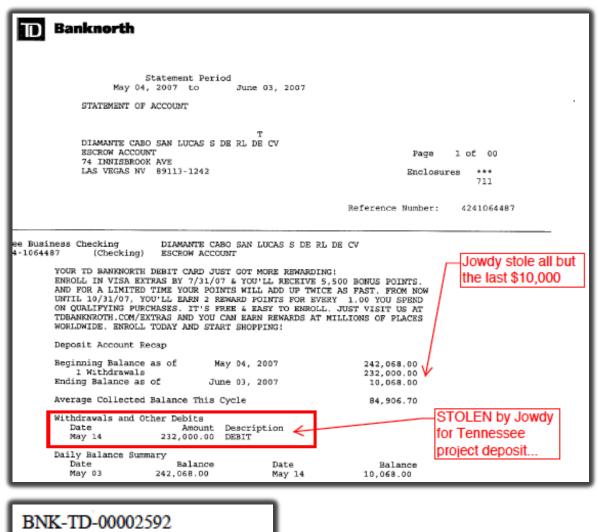


From the DCSL Villa deposit account (#4487) --

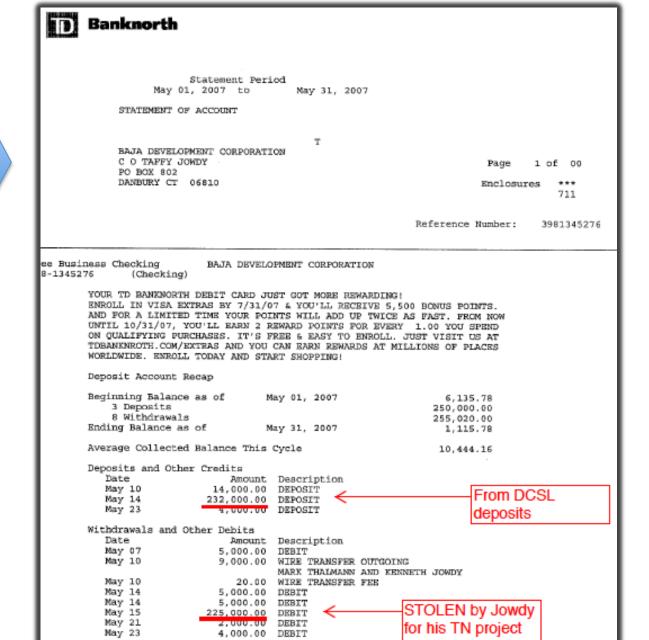
Diverted to the

Baja Development

Corp account...



BNK-TD-00002592 BX19-SD-00001432



# DIAMANTE-00000135

Daily Balance Summary

Baja Development

Corp account...

• Please note that Mark Thalmann (*receiving joint funds with Jowdy – above*) was Jowdy's co-conspirator on the Diamante Air thefts as well as the Murray NV loan diversions to México (*500k for Jowdy*) and 412k for their joint NV home purchase.

deposit..

- Jowdy's father, (also the co-owner of the TLJ Management account used for additional money laundering from 2002 thru present) was a co-signor on this account. He was the complicit benefactor of several auto loan payoffs and cash deposits in 2002 and 2003 (within months of the first Kenner deposits for the DDM project).
  - In fact it was Jowdy's father who signed and mailed the \$500,000 repayment check for the 2004 Mattias Norstrom loan and confirmed with Ken Jowdy that no funds were available YET – but they would be SOON. No funds were ever made good on the \$500,000 loan for repayment (*still outstanding today*).
    - Jowdy confessed to this UNPAID loan (5 years old at that time – and 12 years old now) in his January 2010 deposition. The government has the fraudulent check inside envelope (PKHOME-17314), which was unopened at the time of the FBI search and seizure of Kenner's home office, November 2013.

Once the funds were transferred to Jowdy's Baja Development Corp account – Jowdy immediately (*one day later*) sent the funds to the Tennessee closing account as his deposit for the Tennessee project (*all stolen funds*).

#### From the Tennessee escrow documents -

Fidelity National Title Insurance Company
One Park Avenue
Suite 1402
New York, New York 10016
Attn.: Thomas Glatthaar, Esq.

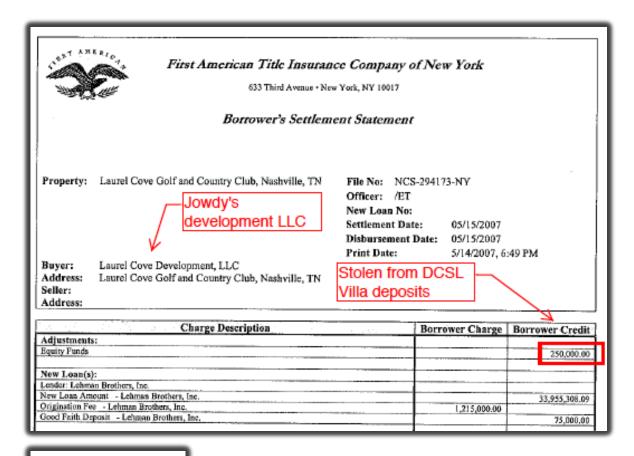
Re: Lehman Brothers Holdings Inc. ("Lender")/Mortgage Loan in the original

e: Lehman Brothers Holdings Inc. ("Lender")/Mortgage Loan in the original principal amount of \$121,500,000 to Laurel Cove Development, LLC "Borrower"), to be secured by approximately 1120 acre to be developed as 820 single family residential lots and an 18 hole golf course development to be known as "Laurel Cove", in Williamson County, Tennessee (the "Property") - First American Title Insurance Company ("FATIC") Commitment No. NCS-277135-NAS, dated 4/27/07 (the "FATIC Commitment") - Fidelity National Title Insurance Company ("Fidelity") Commitment No. 20070504TN, dated 5/1/07 (the "Fidelity Commitment"; the FATIC Commitment and the Fidelity Commitment are collectively referred to as the "Commitments") - (MLA 04406.0214) - ESCROW INSTRUCTION LETTER

Stolen from DCSL Villa deposits thru Jowdy's BDC account

B. Wire Transfers; Other Funds. On Tuesday, May 15, 2007, Lender will wire transfer funds in the amount of approximately \$33,140,308.09, which is part of the proceeds of the Loan (the "Lender Funds"), to FATIC/NY's escrow account (the "Escrow Account") pursuant to the wire transfer instructions attached hereto as Exhibit A and incorporated herein by this reference. Borrower has heretofore deposited with FATIC/Nashville the sum of \$412,500.00 as earnest money under the Purchase Agreement (the "Earnest Money"). Borrower also is to cause to be delivered to FATIC/NY, by federal wire transfer of funds, on or before May 15, 2007, such additional funds (i.e., in addition to the Lender Funds and the Earnest Money) in the amount of approximately \$250,000.00 to permit Borrower, as of the Closing Date, to perform its obligations under the Purchase Agreements and under the Loan Documents (such additional funds, the "Additional Borrower Funds") in order to be able to close the Acquisition and the Loan. The Earnest Money and the Additional Borrower Funds are collectively referred to as the "Borrower Funds").

HHR\_LBI\_JOW\_000141



HHR LBI JOW 000151

### Laurel Cove bank statements (set up only for the money laundering)...

The following were the bank records confirming the Jowdy theft (of \$225,000 from the DCSL Villa deposit account – laundered thru Baja Development Corp) and forwarded to First American Title Co for the Laurel Cover closing and the acquisition of Jowdy's 50% equity thru this capital contribution...



All of the bank records confirming the Jowdy money laundering from stolen DCSL deposit funds have been in the SDNY and government possession since the Jowdy 2009 investigation began -- AND IGNORED!

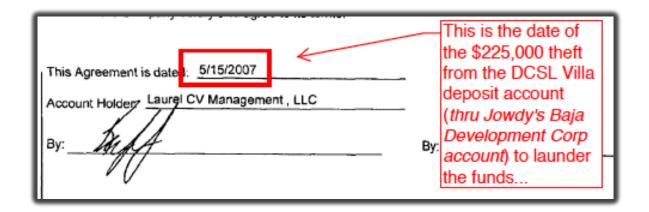
BNK-TD-00002465

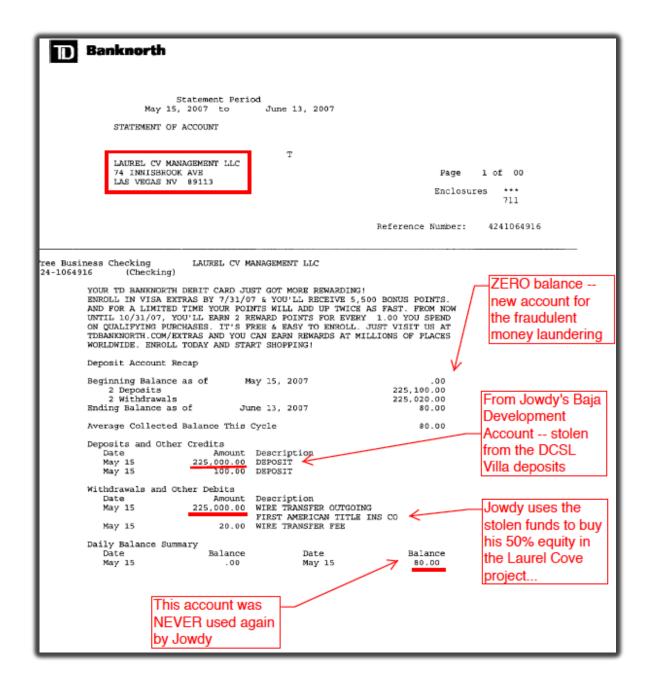
BX19-SD-00001305

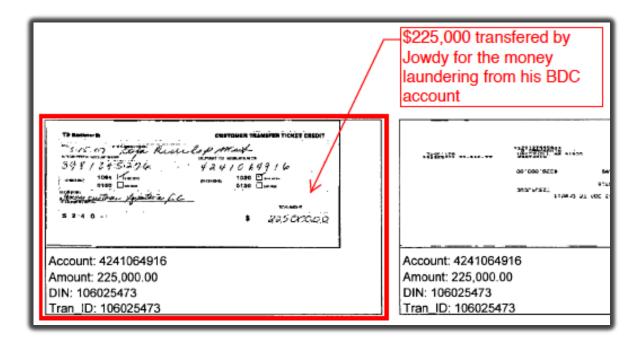
Banknorth LIMITED LIABILITY COMPANY BANKING RESOLUTION (For Deposit Accounts					
Account Holder:		Financial Institution:			
Laurel CV Management , LLC  74 Innisbrook Ave. Las Vega, NV 89113	Jowdy home address	TD Banknorth, N.A. ("Financial Institution")			
Las Vega, 14V 051 15		Ramsey, NJ 07446			
Account No. 4241064916		State/Commonwealth of: New Jersey			
In consideration of the existing o	In consideration of the existing or proposed banking relationship between Laurel CV Management , LLC				
a Limited Liability Company (the	a Limited Liability Company (the *Company*) and TD Banknorth, N.A., the persons signing below jointly and severally and on behalf of the Company do hereby certify that and agree as follows:				
Managers, Members and Authorized Signers: We further certify that the following is a complete list of the names of all managers, members and authorized signers of the Company. We agree to notify the Financial Institution of any change in the Company, including the adding of new members and leaving of current members from the Company, before the change takes effect.					
Title	Name	// Signature			
President	Kenneth Jowdy	Badd			

# Case 2:13-cr-00607-JFB-AYS Document 900-9 Filed 09/08/20 Page 12 of 16 PageID #: 27566

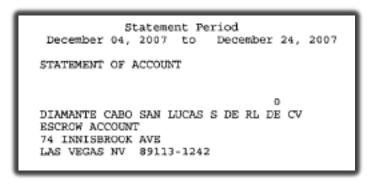
DCSL Golf Villa deposit THEFTS by Jowdy (2006) -- and FUNDS Laurel Cove with







THEN...After Kenner requests (during the failed negotiations with Jowdy in December 2007) to have the initial deposits returned to Nash & Gonchar -- Jowdy transferred \$605,000 from Jowdy's Baja Development Corporate account back into the DCSL account and returned the funds to Nash & Gonchar (after his diversions -- including a deposit from two unknown México persons and Jowdy's co-conspiring General Manager, Ken Ayers).



1 Deposits		er 04, 2007	10,068.00 605,000.00		
5 Withdraw	als		615,068.00		
Ending Balance	as of Decemb	er 24, 2007	.00		
Average Collected Balance This Cycle 7,781.81			7,781.81		
Deposits and O	Deposits and Other Credits				
Date		Description			
Dec 20	605,000.00				
Dec 20	003,000.00	DEFOUL			
Withdrawals and	Withdrawals and Other Debits				
Date	Amount	Description			
Dec 20	397,500.00	WIRE TRANSFER OUTGOIN	IG		
200 20	,	SERGEI GONCHAR			
Dec 20	215 000 00	WIRE TRANSFER OUTGOIN	re .		
Dec 20	215,000.00				
		P KENNER AND K NASH T	RUSTEES		
Dec 20		WIRE TRANSFER FEE			
Dec 20	20.00	WIRE TRANSFER FEE			
Dec 24	2,528.00	ACCOUNT CLOSED			

By December 2007 – The escrow account was DRAINED before the \$605k repayment funds from Jowdy insiders...

BNK-TD-00002600 BX19-SD-00001440

The STOLEN deposits were partially reimbursed by Jowdy's budget theft-complicit General Manager, Ken Ayers, who produced the false monthly budget reports to Lehman Brothers for payment by Trimont Real Estate Advisors ( $3^{rd}$  party auditors) – and two other unknown parties – thru Jowdy's Baja Development Corp bank account...

